

**PLANNING COMMISSION  
MEETING MINUTES  
Monday, February 6, 2023**

**I. Call to Order and Roll Call**

The Meeting of the Planning Commission was called to order at 7:01 PM by Chairman Matt Kowalski with roll call:

Matt Kowalski, Chair	Thomas Phillips, Vice Chair - ABS	Jim Carty - ABS
Tom Covert - ABS	Alison Heatley, Secretary	Chet Hill - ABS
Kyle Marsh	Karen Roberts	Wa Hubbard, Ex-Officio

Student Reps: Charlotte Bruderly and Brock McIntyre are present. Julian Malek is absent.

Also present: Michelle Aniol, Community Development Manager; Grace Whitney, Associate Planner; Georgia Frost, Recording Secretary.

Also attending remotely: members of the public.

**II. Action on meeting minutes from:** Regular Meeting Minutes – February 6, 2023

Motion Roberts; support Heatley to approve the February 6, 2023 Regular Meeting minutes, as presented.

Unanimous voice vote approval with Carty, Covert, Hill, and Phillips absent.

**III. Approval of Agenda**

Motion: Heatley; support Roberts to approve the agenda as presented.

Unanimous voice vote approval with Carty, Covert, Hill, and Phillips absent.

**IV. Public Hearing(s):** None

**V. Pre-Arranged Participation:** None

**VI. Reports of Officers:**

A. Chairman Report – None

B. Planning Commissioners and Council Ex officio Reports –

- Marsh: The public hearing by City Council for the subdivision public hearing is coming up soon.
- Hubbard: February 27<sup>th</sup>.

- Kowalski: [to Aniol] Questioned if there had been any feedback from Council?
- Aniol: City Council has discussed the prohibition/discouragement of cul-de-sacs in the village area. She has advised that Council let her know if there are concerns or another direction that Council would like to go in. The public hearing has been set. Council is scheduled to consider updates to the zoning ordinance, which were recommended by the Planning Commission, at its 2/13/23 meeting.
- Hubbard: Council started its goal setting sessions for the year with the first one occurring this past Saturday, February 4<sup>th</sup>. There is another planned for March.
  - The session on 2/04/23 included discussion on succession planning for Staff members eligible for retirement. It also discussed roads and painting the water tower. A member of the senior center board (Ron Miller) joined this conversation to ask about the senior center, which Council plans to address at the March goal setting session.
  - City Council is full speed ahead with the fire station. It is time to make decisions on this matter.
  - Council reversed its decision to rename the First Street Park "Paul Cousins Park" after Cousins' son expressed discontent with this decision. Council is looking for new options with consultation from the family.
- Kowalski: Are decisions about the fire station being made at City Council meetings, or are you breaking into separate sessions?
  - Hubbard: Right now, we are looking at timelines for construction and funding. Those discussions take place during regular Council meetings.

C. Committee Reports – None

D. Community Development Office Reports – CDM

- There is a list of upcoming virtual meetings and webinars included in this meeting's packet.
- The 3045 Broad St Committee met with Common Sail on 1/31/23, at which time they reviewed and discussed minor revisions to concept plans, scale, and massing perspectives, and TIF scenarios. Hill and Roberts have been attending these meetings. A copy of the revised concept and scape and massing perspectives were included with her report for the Commission's review. A subsequent meeting is being planned for the week of 2/6/23 to review Common Sail's proforma analysis of the project.
- A pre-application meeting was held on 1/25/23 to review and discuss a concept plan for an attainable residential housing development at 7965/7997 Grand St.

- A pre-application meeting is scheduled for 2/3/23 with KLA Development in order to review a concept for two (2) 5-story 9-unit residential condominium buildings located at 8180 Main St.
  - This location is still the formal application for Mill Creek brewery, but it's currently on hold while the property owner negotiates with KLA.
  - Hubbard: This development was discussed at City Council's goal setting session. Water, sewer, and Cornman Farms' connection to the development were discussed.
- City Council is likely stepping out of Redevelopment Ready Communities, as it is no longer a requirement for obtaining funding assistance.

**VII. Citizen Wishing to Address the Commission (Non-Arranged Participation):** None

**VIII. Old Business:** None

**IX. New Business:**

**A. Discussion: Draft CIP FY 2023-2028** – Discussion regarding updates to the Capital Improvements Plan for FY 2023-2028.

- Whitney: Explained this is an annual process the PC undertakes and noted that there is a table of changes, which is included in the packet summarizing updates to the CIP. Last year has been transferred to the new software. Staff is in the process of using the software to generate the new CIP.
- Kowalski: Questioned if a complete draft plan would be provided at next month's meeting, and Whitney confirmed.
- Kowalski: Baker Road is on the schedule to be redone, but questioned why the Baker Road streetscape improvements are not scheduled until 2028.
  - Aniol: Explained that if the Planning Commission has a desire for Council to address this, it should go back to goal-setting to be discussed.
  - Hubbard: This can be discussed if needed.
  - Kowalski: Stated he's worried about pedestrian safety at Forest and Baker and Grand and Baker Road, which are very well-used and should be a key focus. It is a main corridor. Pedestrian safety is of paramount concern.
  - Aniol: Said she can also discuss this with the DDA, with the possibility of it being incorporated into their strategic plan update.
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[Georgia Frost, the new Recording Secretary, was introduced to the Planning Commission.]

**B. Discussion: Signs and Technology**

- Aniol: Planning for the City's Bicentennial Celebration is underway. The committee in charge of the planning would like to place a digital countdown clock downtown somewhere. Currently, electronic, digital and/or moving image signs are not allowed per our zoning ordinance. If the Planning Commission wishes to consider ways to regulate this types of signs, Ms. Aniol explained the following issues regarding signs must be considered:
  - There are 2 types of free speech dealt with in zoning, commercial and non-commercial. The proposed countdown clock is a sign, and is currently not permitted.
  - Because signage is protected speech, regulation must be content-neutral.
  - Recent Supreme Court rulings clarify that it is unconstitutional to regulate a sign based on its content.
  - Our current ordinance prohibits digital sign usage unless it is for time, temperature, etc., which the Supreme Court has ruled is unconstitutional.
  - Reference materials were included in the packet and Ms. Aniol encouraged the Planning Commission to review them, in preparation for a future discussion.
- Roberts: There is a public service aspect to this consideration and is not solely commercialization.
- Aniol: Some governmental signs are exempt. Because this comes from the Bicentennial Subcommittee of the City's Arts, Culture, and Heritage Committee, it is non-commercial speech.
- Hubbard: City Council has discussed the Bicentennial. Can Council do something?
  - Aniol: This may complicate the issue. We can bring this forth next month to provide more information and include the City Attorney in the discussion. If this is an event the city is putting on, it is complicated because if we allow it for city events, we have to allow it for all other events.
- Aniol: The digital aspect of this signage complicates the issue. If it is a digital sign, it is not allowed in our ordinance.
- Committee Members discussed using non-digital signage for the same purpose.
- Marsh: Is there a broader sign conversation today?
  - Aniol: No, our discussion is just pertaining to the item at hand.
- Kowalski: Questioned the electronic window sign that's been put up by a downtown business?

- Aniol: The owner has been informed she's in violation of the ordinance and we are working with the business owner.

**X. Proposed business for Monday, March 6, 2023:**

A. Set Public Hearing to Consider Capital Improvements Plan for FY 2023-2028

**XI. Citizens wishing to address the Commission: None**

**XII. Adjournment**

Motion Roberts; support Marsh to adjourn at 7:40 PM.

Unanimous voice vote approval Carty, Covert, Hill, and Phillips absent.

Respectfully submitted,

Georgia Frost

Recording Secretary

Approved for Filing: March 6, 2023